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TRANSLATIONS ON LAW OF THE SEA
(FOUO 3/79)

WORLD

WIDE

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CONTENTS

PAGE

WORLDWIDE AFFAIRS

Japan, USSR Sign Fishing Agreements in Moscow
(Various sources, 22 Mar, 1, 3 Apr 79)..... 1

Memorandum on Whaling
Shrimp Fishing Contract
'ASAHI EVENING NEWS' Comments; Editorial

USSR

Economic Development of Oceans Discussed
(V. Kosov and V. Turetskiy, VOPROSY EKONOMIKI, Feb 79).... 4

WESTERN EUROPE

INTERNATIONAL AFFAIRS

Commentary on Safeguarding Sicilian Fishing Waters
(Fabrizio Carte, CORRIERE DELLA SERA, 19 Mar 79)..... 8

FRANCE

Underwater Resources Exploitation Program Intensified
(FUTURIBLES, Jan 79)..... 11

- a -

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WORLDWIDE AFFAIRS

JAPAN, USSR SIGN FISHING AGREEMENTS IN MOSCOW

Memorandum on Whaling

OW021537 Tokyo MAINICHI DAILY NEWS in English 1 Apr 79 p 3 OW--FOR OFFICIAL USE ONLY

[Text] Japan and the Soviet Union exchanged notes in Moscow Friday on renewal of their bilateral agreement on an international observer scheme for factory ships engaged in whaling operations in the North Pacific, the Foreign Ministry said Saturday. It said the notes were signed between Japanese Ambassador Tokichiro Uomoto and Soviet Fish Industry Minister Kamentsev.

The agreement was signed in Moscow in April 1972 and has been renewed annually ever since.

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Shrimp Fishing Contract

Tokyo MAINICHI SHINBUN in Japanese 3 Apr 79 Morning Edition p 7 OW

[Text] Moscow, 2 Apr (JIJI)--The first Japan-USSR joint fishing project is to start soon. A contract for the project in the Mamiya strait, inside the Soviet 200-mile zone, was signed at the USSR fish Industry Ministry on the afternoon of 2 April (midnight JST). The contracting parties are: the Sea of Japan Shrimp Fishing Association on the Japanese side, and the Sovrybflot and the Administration for Export and Import of Fish Products on the USSR side.

Under the contract, the USSR will admit seven Japanese fishing boats. Japan will dispatch two of them immediately and the remaining five by the end of May. The Soviet side will put two boats into operation soon. They were only recently remodeled into shrimp boats at Hakodate dock under an agreement signed between the two countries last year.

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'ASAHI EVENING NEWS' Comments

Tokyo ASAHI EVENING NEWS in English 22 Mar 79 p 2 OW

[Editorial: "Japan-USSR Fishery Talks"]

[Text] Japan and the Soviet Union concluded last year an agreement on cooperation in fisheries for mutual benefit. It is under the provision of this agreement that the Japan-Soviet fisheries committee is holding its first meeting in Moscow. This got under way on Monday.

After the committee discusses such matters as the assessment of stocks of the principal types of fish in northwest Pacific waters--such as salmon, salmon trout and pollack--exchanges of studies and joint fisheries projects, it will then get down to negotiate this year's quotas of salmon and salmon trout catches.

In last year's negotiations on salmon and salmon trout quotas, the Soviets demanded a complete prohibition on offshore catches. In rebuttal, Japan argued vigorously its fishermen had long operated in Soviet waters and was finally able to get the Soviets to agree to a catch quota of 42,500 tons. Since it is certain, however, that the Soviet will now demand a prohibition on offshore fishing even more firmly than they did last year, the focal point of this year's negotiations will be how large a quota Japan can secure.

The rights to catch fish like salmon and salmon trout which swim back upstream to spawn in the rivers in which they were born are recognized by such bodies as the United Nations Law of the Sea conference as belonging exclusively to the nations in which these rivers are located. Japan has had no choice but to go along in principle with this concept.

In negotiations with other countries on fishing rights, Japan can only plead for consideration of the traditional operations of its fishermen in the waters under discussion and the economic and social dislocation which would arise from drastic changes in the terms of access.

Japan is the only country which catches salmon and salmon trout in the sea zones of other nations, and thus feels itself increasingly isolated on this issue.

Japan in these circumstances is placed in an unfavorable position, but there is in this year's negotiations with the Soviet Union a new element which makes for uneasiness on its part--there is a completely new lineup in the Soviet negotiating team. Aleksandr Ishkov, the principal figure Japan has had to deal with, had served throughout the post-war period as Soviet fisheries minister and was thoroughly familiar with conditions in the Japanese fishing industry. He has retired and his place has been taken by Vladimir Kamentsev. In short, Japan is starting negotiations with a new fisheries minister who is a virtual stranger, instead of a man with whom it has an intimate relationship.

Still, there are some bright spots in the picture. The Soviet salmon and salmon trout catch in 1977 reached an unprecedented high of 139,000 tons. The 1978 Soviet catch figure will be disclosed in the talks on assessment of fish stocks. The experts are saying that resources of Asian-spawned salmon and salmon trout have shown a steep and rapid recovery in the past several years.

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In contrast, the sector of Japan's fishing industry engaged in offshore fishing for salmon and salmon trout has declined steadily in recent years. In the past two years alone, the number of boats in its fishing fleet has been cut by half. The remaining fishing vessels have been forced to assume the cost in a common effort of aiding owners and crews of the boats which have been beached, a burden reaching several tens of billions of yen. The situation which they confront may well be described as critical. Again, as unemployment and other troubles arise from reductions in the salmon fishing fleet, the shadows of recession are deepening in the local economies of such north Pacific fishing ports as Kushiro and Nemuro.

Japan must make every effort to get the Soviet Union to understand these conditions. Again, it must not merely engage in desperate pleas for the continuation of offshore fishing for salmon and salmon trout but also take the long-term view, develop and present specific plans for a future in which the Japanese and Soviet fishing industries can share in a common prosperity, and work to dispel the deeply-rooted distrust which the Soviets feel toward Japan.

In the Japan-Soviet fisheries negotiations, there has been a tendency to stress the political aspects. However, to deal with the new era of 200-mile economic sea zones, the Japan-Soviet fisheries cooperation agreement was concluded in April 1979, its purpose being to lay down new rules appropriate to these new circumstances. The use of salmon and salmon trout hatcheries and similar facilities has been offered to the Soviets and private cooperative ventures, though still small in scale, are showing progress. We would hope that political developments will not impede the growth of closer cooperation in the fisheries field for mutual benefit.

Japan is making marked progress in the technology of hatching and releasing salmon and salmon trout and the volume of salmon and salmon trout taken in rivers and streams has come to exceed the offshore catch. What we hope to see is the application of this breeding technology also in the Soviet Union and the building of real Japan-Soviet cooperative relations.

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USSR

ECONOMIC DEVELOPMENT OF OCEANS DISCUSSED

Moscow VOPROSY EKONOMIKI in Russian No 2, Feb 79 pp 121-123

[Article by V. Kosov and V. Turetskiy, Vladivostok: "Economics of the Ocean"]

[Text] An All-Union Conference, organized by the Vladivostok Department of the Institute of Economic Research of the Far Eastern Scientific Center of the USSR Academy of Sciences, by the Institute of World Economics and International Relations of the USSR Academy of Sciences and by the State Planning, Design and Scientific Research Institute of Marine Transportation of the USSR Ministry of the Maritime Fleet, was devoted to the methodological problems of the over-all economic development of the ocean and of coastal regions. Scientists and responsible officials of Party, soviet and economic organizations participated in the work of the conference, which was held in Vladivostok at the beginning of September.

Great attention was paid at the conference to the most important theoretical and practical aspects of the over-all economic development of the ocean and coastal regions: the molding of economics of the ocean as one of the main directions in economic science; the methodology and scientific bases for the developing of an over-all multi-purpose program for the study and development of the ocean; an economic evaluation of the resources of the ocean, etc.

Intensive study and economic development of the ocean and coastal regions is the consequence of an objective process of development of the world economic system; it is linked with the drawing upon of major capital investments, manpower and physical resources. It was noted at the conference that even today many production lines from various industries have become involved in the process of developing the ocean. The interest on the part of many countries in the resources of the world ocean has sharply increased. The economic development of the ocean and coastal regions is taking place under conditions marked by the intensification and aggravation of the general crisis of capitalism, and accompanied by a high degree of political activity by the developing countries and by the role of the Soviet Union and other countries of the socialist

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community, a role which has grown. Among the many international economic and legal problems exerting a direct influence on the conditions of development and utilization of the ocean, the problems connected with the status of territorial waters and with economic zones are of the greatest significance.

The growing attention being paid to the economic problems of oceanic economic activity has been caused, as was said in many speeches, by a new stage in the study and development of the ocean and coastal regions. The specific character of the ocean as an object and environment for economic activity leads to a complex interweaving of socio-economic, economic-ecological, political and production and technological problems. The need to resolve a series of economic questions of a theoretical and practical nature under these conditions has led to the formation of a new division of economic science, "Economics of the Ocean," whose object of research is the interconnected complexes of economic systems carrying out economic activity in developing the ocean and its coastal regions.

A central place in the conference was occupied by a discussion of questions connected with an over-all approach to the planning and management of the development and utilization of the ocean. There was a unanimous opinion expressed concerning the need for working up over-all interconnected special-purpose programs that provide for the most efficient utilization of the manpower, physical and financial resources that are being channeled into the implementation of oceanic economic activity. The drafting of the "Ocean" program must be based on general methodological principles and the methods for structuring major national economic programs. It relates to a class of major over-all multipurpose programs affecting various spheres of the economic and social development of the country and the aspects of interstate relations.

It was stressed in the speeches that one must work up the scientific bases for both state-wide, as well as regional "Ocean" programs and closely coordinate the "Ocean" program with international programs for the development and study of the ocean and with other over-all national economic and regional programs.

Of great importance is the definition of the goals for the entire long-term program, its regional sections and individual temporal stages, as well as the drafting of strategies for their realization. The achievement of the goals which have been set and the choice of strategies must be subordinate, first and foremost, to the accomplishment of the general socio-economic and political tasks facing the country's national economy.

One of the most important directions in the work of the conference was the discussion of the problems of economic evaluation of the resources of the ocean. The theoretical basis for such an evaluation is the idea of differential rent evaluations with consideration given to possible directions for and methods of exploitation of the resources being considered. The complex dependence relationships among individual natural oceanic resources and various water areas advance a series of specific methodological problems in economic evaluation. The development of the ocean is also linked with the diverse forms of international relations that are taking shape in connection with the exploitation

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of its resources. The utilization of ocean resources located in territorial waters, economic zones and open seas (ocean), raises specific problems in the economic evaluation of oceanic natural resources and their use in the economic and legal mechanisms of national and international use of natural resources in various zones of the ocean. The need for a differentiated approach to the economic evaluation of various natural resources of the ocean and to the over-all evaluation of the economic value of its individual water areas was noted at the conference.

Questions of the effectiveness and rational use of ocean resources, of mastery of the ocean in terms of transport and of the over-all economic development of coastal regions were widely discussed at the conference. The pivot in the accomplishment of the tasks of transport development of the ocean, in the opinion of the participants in the conference, is the resolution of methods and practical questions of the over-all development of all types of transport and the molding of a unified transport-technological system that ensures the most efficient fulfillment by transport of its varied functions during the process of putting the program for the development of the ocean and coastal regions into effect. In conjunction with this, the need for research on questions of improving the planning and management of maritime transport in mutual coordination with the development of a unified transport network for the country and of a transport infrastructure for the coastal regions was noted.

Intensive development of the biological resources of the ocean has raised a series of economic problems connected with raising the efficiency and expanding the scale of small maritime industries under conditions created by the introduction of 200-mile economic zones [limits] and with the need to increase the role of the ocean in the solution of the problems of the world food-stuffs balance. The urgency of drafting methods for evaluating the economic efficiency of the creation of systems of maritime economic units [marikho-zyaystva?] was spoken of at the conference.

Great attention was paid at the conference to the examination of questions connected with the development of the mineral and power resources of the ocean, while the importance of working up scientific bases for a strategy for their development proceeding on the basis of the requirements of the national economy for various types of resources and an evaluation of the comparative efficiency of their use in comparison with the resources that have been uncovered on dry land was stressed. It is necessary to provide for both an over-all evaluation of individual water areas, as well as a differentiated approach to the determination of the range of expenditures and to the methods for evaluating them in respect to various types of resources. In conjunction with this, of particular significance is the evaluation of the efficiency of development and use of mineral and energy resources in terms of their end results.

Effective development of the ocean is inseparable from the solution of a wide range of problems of formation and development coastal territorial-production complexes and systems of settlement in newly-opened maritime regions. The drafting of principles and methods for their formation must be carried out

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with consideration given to the specific character of the conditions for their development and functioning in close mutual coordination with the country's national economic complex and individual regions.

The Vladivostok Department of the Institute of Economic Research of the Far Eastern Scientific Center of the USSR Academy of Sciences organized a school-seminar for young economics scholars on 5-8 September 1978 on the problem of "Economics of the Ocean," in whose work representatives of various scientific research and planning and design organizations of the Far East, Siberia and other regions of the country took part.

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INTERNATIONAL AFFAIRS

COMMENTARY ON SAFEGUARDING SICILIAN FISHING WATERS

Milan CORRIERE DELLA SERA in Italian 19 Mar 79 p 7

[Article by Fabrizio Carte]

[Text] The fishing resources of the Mediterranean, in addition to being limited on the whole, are notoriously distributed very unequally, particularly in the central Mediterranean, a sea area obviously most accessible to medium and small Italian shipowners; marine fauna is practically nonexistent in the waters lying off the peninsula, while along the Dalmatian coast and especially the African coast, it is relatively abundant, at least sufficiently so as to justify the effort that the nation's fleet is capable of making.

There are two basic problems that the groups interested in Mediterranean fishing are called upon to face:

--the gradual impoverishment of the fishing resources;

--the acts of violence and illegal acts that have repeatedly been endangering not only work safety but the personal safety of the fishermen.

As far as the first point is concerned, the solution, which can be contemplated only on a long-term basis, must be sought through an investigation of the facts, on rigorously scientific bases, to be conducted possibly in cooperation with other nations bordering on the sea, taking into consideration environmental (biological and ecological aspects, reproduction characteristics, etc) and operational (tolerable exploitation rate, methodology, and species for which to fish, etc), factors knowledge of which is indispensable for arriving at a balance that will preserve indefinitely a source of work and productivity that is so important to the economy of the country.

For the second point, it is considered imperative not to postpone making the utmost effort to assure adequate protection for the safety of Italian fishermen, guaranteeing their full right to engage in fishing in accordance with international rules and existing bilateral treaties. With regard to this second point, it is considered appropriate, in that document, to express the views of the groups concerned, referring to the situation in the sea areas lying off the African coast, in which the writer is mainly interested.

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The international rules that currently govern fishing activities provide that the sovereignty of nations bordering on the sea be restricted to their territorial waters, which are traditionally considered to lie within the 12-mile limit.

North African waters are an exception to those rules:

a--the unilateral declaration by the Libyan government, although contested by the Italian government, on the basis of which:

- (1) The entire Gulf of Sirte is considered "metropolitan territory."
- (2) The limit of the territorial waters is set at 20 miles.

b--The fishing treaty concluded between the Italian government and the Tunisian government that:

- (1) grants a limited number of fishing permits in some Tunisian territorial sea areas;
- (2) recognizes the right of the Tunisian government to prohibit fishing in a wide stretch of "high seas" to the southwestward of Lampedusa, i.e., very far from the territorial waters of that nation.

The Sicilian fleet, taking note--although with obvious displeasure--of the limitations mentioned in points a (1) and b (2), which prevent it from having access to the sea areas with the largest fish population, operates with complete respect for such limitations.

The infrequent, unintentional infractions are to be attributed to the difficulty in determining ship position in areas so far offshore and to the understandable tendency of fishing boats to operate close to the prohibited areas, which are by far the most productive.

But essential respect for the restrictions is not sufficient to protect the fishermen from the provocative acts of the Libyan and especially Tunisian patrol units; such acts that frequently take the form of real acts of piracy are often carried out as a means of applying pressure to solve problems completely alien to fishing.

It is only due to the presence of Italian Navy units that the frequency and seriousness of the incidents and acts of violence do not reach even more dramatic levels and pitches. The presence of such units, no one can testify better than the fishermen, unquestionably constitutes the most effective deterrent to such illegal acts.

Unfortunately, while we consider it our duty to give full credit to the generosity and continuity of the effort made by the Italian Navy, it is also necessary to emphasize the inadequate characteristics of the resources at the

disposal of the Italian Navy for tasks of this kind. In fact, with no possibility of employing units with distinct combat characteristics, which would create a climate of tension that the very groups concerned are the first to want to avoid, then the only units available are old minesweepers with considerable limitations with regard to seaworthiness, endurance, and especially speed, which drastically reduces their capabilities and the timeliness of their intervention.

The writer does not have sufficient technical and operational data to set forth the characteristics of the resources that the Italian Navy should have at its disposal in order to provide an adequate patrol service under the stated conditions. However, it is considered possible to state that such resources should possess the following characteristics individually or as a whole:

--capacity for remaining at sea for a long time even under adverse sea conditions;

--capacity for embarking and employing helicopters, whose effective reconnaissance and quick intervention have been amply demonstrated by past experience;

--sustained high speed, and at least for some of the units, capacity for developing particularly high bursts of speed for the purpose of expanding considerably the area and probability of timely intervention;

--moderate combat capabilities, although obviously greater than those of the resources that are to be faced.

Units with characteristics of the type mentioned above seem roughly suited not only for fishing patrol duties but also for the general surveillance and assistance tasks that the navy is called upon to carry out for rendering aid at sea, antipollution measures, and more generally for the future tasks that will result from the imminent establishment of exclusive economic zones.

About the number of resources to be provided, this should be determined in such a way as to ensure the simultaneous and continuous presence of at least two units in the fishing areas, not overlooking the fact that the aforementioned establishment of exclusive economic zones will inevitably cause an expansion of disputes and conflicts even in the fishing sector.

In the final analysis, it is considered that in addition to the political action that will be taken on the occasion of renegotiating the new fishing treaty with Tunisia and the early initiation of the investigation of the facts mentioned previously, the assignment to the Italian Navy of modern resources suitable from the standpoint of number of characteristics for fishing patrol tasks constitutes an indispensable requirement for ensuring compliance with the agreements and for guaranteeing the work and personal safety of the workers concerned.

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10

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FRANCE

UNDERWATER RESOURCES EXPLOITATION PROGRAM INTENSIFIED

Paris FUTURIBLES in French Jan 79 p 76

[Article: "Exploiting Underwater Resources"]

[Text] In 1978, France has spent 560 million francs for oceanology, and new impulse will be given to the exploitation of underwater resources; such are the new guidelines of the National Center for the Exploitation of Oceans which have been adopted on 15 November 1978 by the Council of Ministers. Therefore, France is going to make an effort to accelerate exploration of the sea bottom and to develop new systems to exploit its resources: piloted submarine capable of reaching a depth of 5,000 m; autonomous automatic unit to collect those famous underwater "nodules"; construction of a pilot plant to use the ocean's thermal energy; increased drillings at depths of over 1,000 m to exploit underwater oil. However, one should not overestimate the "riches" to be expected as a result of all this: most specialists agree that industrial exploitation of almost all underwater resources cannot be contemplated for an indefinite period of time because of economic costs and energy availability.

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